

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

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2008 NOV -5 P 2

Gwendolyn Brown,

Plaintiff,

vs.

Donald J. Cameron; James Heyward, Jr.;  
Melissa Barnes; Siemens Contractors;  
A/C Contractors (for housing); Clegg's  
Extermination; HUD Inc.,

Defendants.

Civil Action No.: 2:08-3011-CWH

**ORDER**

On August 29, 2008, the plaintiff, Gwendolyn Brown, commenced this action, pursuant to 28 U.S.C. § 1983, based on the condition of the housing provided to her by the Housing Authority located in the City of Charleston. On September 25, 2008, Magistrate Judge Bristow Marchant ("Magistrate Judge Marchant") issued a report analyzing the issues and recommending that the Court dismiss the complaint in this case without prejudice and without issuance and service of process.

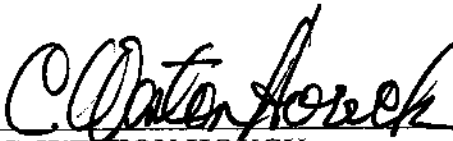
This Court is charged with making a *de novo* determination of any portions of the magistrate judge's recommendation to which specific objection is made. *See* 28 U.S.C. § 636(b). The Court may accept, reject, or modify, in whole or in part, the report and recommendation, or recommit the matter with instructions. *See* 28 U.S.C. § 636(b)(1). To this date, the plaintiff has failed to make a timely objection to the report and recommendation. *Id.* "[I]n the absence of a timely filed objection, a district court judge need not conduct a *de novo* review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the

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recommendation.”” Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005).

A review of the record indicates that the report and recommendation accurately summarizes this case and the applicable law. For the reasons articulated by Magistrate Judge Marchant, the Court dismisses the complaint without prejudice and without issuance and service of process.

**AND IT IS SO ORDERED.**

  
C. WESTON HOUCK  
UNITED STATES DISTRICT JUDGE

November 5, 2008  
Charleston, South Carolina

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